



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,090	09/05/2003	Douglas A. Duim	7784-000629	9927

27572 7590 11/03/2004

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

EXAMINER
----------


GREEN, BRIAN

ART UNIT	PAPER NUMBER
----------	--------------

3611

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/656,090	DUIM ET AL. 	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian K. Green	3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 6 and 17 are objected to because of the following informalities: In claim 6, line 2, subject matter in parentheses in a claim are not generally given any patentable weight. In claim 17, line 2, "a ultraviolet" should be "an ultraviolet". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 11, lines 1-2, "each said advertising mural" is confusing since this suggests that there is more than one mural and claim 8 suggests that there is only one mural. In claim 11, line 2, "its associated said panel" is confusing since it is not clear which panel the applicant is referring to, i.e. the first or second panel or a panel from another mural.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3-5, 7,8,10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by "Harvard Cheers Dartboard Cabinet" in which the examiner takes official notice that he has had the cabinet since at least 1997.

“Harvard Cheers Dartboard Cabinet” includes a first door panel (the door on the left, see the enclosed figure of the “Harvard Cheers Dartboard Cabinet”) having a first portion of an image (includes the letters CH and a portion of the building with people and horses) and a second door panel (the door on the right) having a second portion of the image (including the letters “eers” and the rest of the building and people and horses). The first and second portions of the image are not removable since they are screen printed onto the doors. The first and second door panels cooperatively form a complete rendition of the image. In regard to claim 3, the “Harvard Cheers Dartboard Cabinet” includes high contrast color image, i.e. the image includes red and blue in it. In regard to claim 4, “Harvard Cheers Dartboard Cabinet” is considered to be an advertising mural, i.e. advertising the show “Cheers”. In regard to claim 5, as broadly defined, the doors on “Harvard Cheers Dartboard Cabinet” are considered to be “stowage bin doors”. In regard to claim 7, the image portions formed on the panels which form the doors can not be separated from the doors since the image portions are silk-screened onto the panels. In regard to claim 8, as broadly defined, the “Harvard Cheers Dartboard Cabinet” is capable of being used in an aircraft. In regard to claims 1 and 8, the first and second doors/panels of “Harvard Cheers Dartboard Cabinet” are capable of being quickly removed, i.e. the doors are attached with hinges which include screws so the doors can be easily taken off of the cabinet.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,6,9, and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Harvard Cheers Dartboard Cabinet” in which the examiner takes official notice that he has had the cabinet since at least 1997 in view of Apel et al. (U.S. Patent No. 6,126,112).

In regard to claims 2,9, and 12-14, “Harvard Cheers Dartboard Cabinet” does not disclose the idea of attaching the mural onto the doors coupled to a stowage bin. Apel et al. shows in figure 1 the idea of attaching indicia to doors coupled to a stowage bin. In view of the teachings of Apel et al. it would have been obvious to one in the art to modify “Harvard Cheers Dartboard Cabinet” by attaching the mural to doors coupled to stowage bins since this would allow the idea of placing a portion of a mural on each door to be used in a wider range of locations, i.e. doors on an aircraft, train, etc. In regard to claims 15-18, “Harvard Cheers Dartboard Cabinet” does not disclose the idea of attaching the mural onto the doors coupled to a mobile platform. Apel et al. shows in figure 1 the idea of attaching indicia to doors coupled to a stowage bin in an aircraft. In view of the teachings of Apel et al. it would have been obvious to one in the art to modify “Harvard Cheers Dartboard Cabinet” by attaching the mural to doors coupled to stowage bins of an aircraft since this would allow the idea of placing a portion of a mural on each door to be used in a wider range of locations, i.e. doors on an aircraft, train, etc. In regard to claim 15, it is not clear whether “Harvard Cheers Dartboard Cabinet” places the mural on the doors and then attaches the doors to the cabinet. It would have been obvious to one in the art to modify “Harvard Cheers Dartboard Cabinet” by placing the mural on the doors and then attaching the door to the cabinet/mobile platform since this would allow the device to be made in an easier and faster manner. In regard to claims 6,14, and 17, “Harvard Cheers Dartboard Cabinet” does not disclose whether the image comprises at least one ultraviolet stable color. Apel et al. discloses in

Art Unit: 3611

column 4, lines 12-30 the idea of using UV cured ink. In view of the teachings of Apel et al. it would have been obvious to one in the art to use UV stable color since this would create a longer lasting and more durable image.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Harris and Mann et al. teach the use of a mural on doors. Yaworski teaches the use of removable doors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K. Green whose telephone number is (703) 308-1011. The examiner can normally be reached on M-F 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (703) 308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

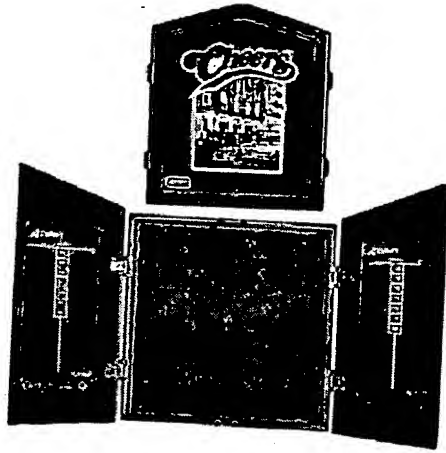
Art Unit: 3611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bkg  
Nov. 1, 2004

  
BRIAN K. GREEN  
PRIMARY EXAMINER

# Appendix



Picture of Harvard Cheers  
Dartboard Cabinet